



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Alberte et al.	)	Attorney Docket No.: CEA-007.01
		)	
Serial No.:	09/854,122	)	Group Art Unit: 1638
		)	
Filed:	May 10, 2001	)	Examiner: Collins, Cynthia E.
		)	
For:	<i>Transgenic Plants Incorporating Traits of</i>	)	
	<i>Zostera Marina</i>	)	

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 17, 2003

By:

Shirine Darvish  
Shirine Darvish

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 23313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR**  
**§ 1.97(c)(2)**

Madam:

Listed on the enclosed Form PTO-1449 is a list of publications known to Applicants and their Attorney/Agent in compliance with the requirements of 37 C.F.R. 1.56. A copy of said publication is being submitted herewith. This submission follows the events recited in 37 C.F.R. § 1.97(c)(2); therefore, pursuant to 37 C.F.R. § 1.17 (p), a check in amount of \$180.00 is enclosed. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO-

1449.

12/24/2003 GWORDBF1 00000030 061448 09854122

03 FC:1806 180.00 DA


This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the cited documents as prior art against any claim in the application and Applicants determine that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the referenced publications be applied against the claims of the present application. If there is any additional fee due in connection with the filing of this Statement, the Director is hereby authorized to charge the fee to our Deposit Account, **No. 06-1448, Reference CEA-007.01.**

December 17, 2003

**Customer No. 25,181**  
Foley Hoag LLP  
155 Seaport Blvd.  
Boston, MA 02210-2600  
Tel. (617) 832-1288  
Fax (617) 832-7000

Respectfully submitted,

  
\_\_\_\_\_  
Isabelle M. Clauss, Ph.D.  
Reg. No. 47,326  
Agent for Applicants

Form PTO-1449

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)  
CEA-007.01Application Number  
09/854,122Applicant  
Alberte et al.Filing Date  
May 10, 2002Group Art Unit  
1638**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A1	5,384,176	01/24/95	Zimmerman et al.	428	68	12/11/92
A2	5,607,741	03/04/97	Zimmerman et al.	428	68	12/8/94
A3	2001/0051274	12/13/01	Alberte et al.	428	411.1	02/6/01

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
B1	WO 94/13462	06/23/94	PCT				

**OTHER DOCUMENTS**

(Including Author, Title, Date, Pertinent Pages Etc.)

C1	Varin et al. (1997) "Sulfation and Sulfotransferases 6: Biochemistry and molecular biology of plant sulfotransferases," <i>The FASEB Journal</i> , Vol. 11, pp. 517-525
C2	Todd et al. (1993) "The Antifouling Activity of Natural And Synthetic Phenolic Acid Sulphate Esters," <i>Phytochemistry</i> , Vol. 34, No. 2, pp. 401-404.
C3	International Search Report, PCT Application No. PCT/US 01/15412, mailed March 5, 2002
C4	
C5	
C6	
C7	
C8	
C9	
C10	

EXAMINER		DATE CONSIDERED
----------	--	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.